

REMARKS

Claims 1-39 have been canceled and claims 40-78 have been added. The Examiner's attention is directed to U.S Patent 6,854,809, which has a common parent patent as the present application.

Rejections Under 35 U.S.C. § 112

Original claims 1-39 were rejected under 35 U.S.C. § 112 because the Examiner asserted that the specification does not reasonably provide enablement for recovery of sodium bicarbonate from any ore deposit. New claims 40-78 require that the ore deposit comprises shale and sodium bicarbonate. The Examiner noted that the specification enables the recovery of sodium bicarbonate from a nahcolite deposit. As noted in the application, nahcolite is primarily sodium bicarbonate. (¶¶2, 43) The process described in the specification works by injecting hot aqueous liquid into a mining zone, where it dissolves sodium bicarbonate. The high temperature aqueous liquid fractures the shale. (¶28, lines 1-3). With the fracturing of the shale, the aqueous liquid can reach additional deposits of the sodium bicarbonate. (¶28, lines 7-9). Thus, the specification is enabling for recovery of an ore deposit comprising shale and sodium bicarbonate, because the specification teaches that high temperature liquid will fracture the shale, and the sodium bicarbonate will dissolve in the aqueous liquid. Thus, claims 40-78 are enabled.

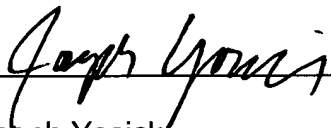
Rejections Under 35 U.S.C. § 103

Claims 1-39 stand rejected under 35 U.S.C. § 103(a) as unpatentable over various references. In light of the cancellation of these claims, the rejections are moot.

SUMMARY

Applicants believe the present application is now in condition for allowance. If the Examiner has any remaining issues, he is invited to contact the undersigned attorneys for the Applicants via telephone if such communication would expedite this application.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Joseph Yosick", is written over a horizontal line.

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